



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 460-99

8 March 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 22 November 1999, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board was aware that the message which authorized the voluntary early separation program required the recoupment of reenlistment bonuses for any unserved portion of active duty. Accordingly, the Board believed that you knew or should have known that the unearned portion of your reenlistment bonus would be recouped. Therefore, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval

record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1900
Ser 814/9U0142
22 Nov 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS (BCNR)

Via: BUPERS/BCNR COORDINATOR, PERS-OOXCB

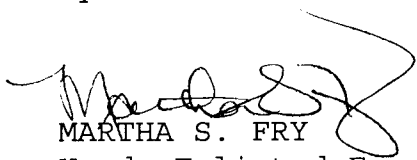
Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF [REDACTED]

Ref: (a) BUPERS REENL MGMT WASHINGTON DC 210207Z FEB 97

Encl: (1) BCNR File #00460-99
(2) Petitioner's Service Record

1. After careful review of [REDACTED] petition and his microfiche service record, enclosures (1) and (2) respectively, I have determined that he was discharged appropriately. He was approved for an early release from active duty per reference (a). Members who are voluntarily discharged have their reenlistment bonuses recouped. Therefore, I recommend that the board not modify his DD 214.

2. This is an advisory memorandum for the use of the Board for Correction of Naval Records only.


MARTHA S. FRY
Head, Enlisted Favorable
Separations Section